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16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA

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19 VICTORIA MUNOZ, *et al.*,,  
20 Plaintiffs,  
21 v.  
22 SACRAMENTO AREA COUNCIL OF  
23 GOVERNMENTS, *et al.*,  
24 Defendants.  
25

Case No. C05-01525 (JSW/EDL)

**[PROPOSED] FINAL ORDER APPROVING  
SETTLEMENT AGREEMENTS,  
CERTIFYING SETTLEMENT CLASSES,  
APPROVING ATTORNEYS' FEES, AND  
DISMISSING ACTION**

Date: July 6, 2007  
Time: 9:00 a.m.  
Place: Courtroom 2, 17th floor  
Judge: Hon. Jeffrey S. White

1        This matter came before the Court for hearing pursuant to the Order of the Court on July  
2 6, 2007 upon the motion of Plaintiffs, on behalf of themselves and all Settlement Class Members,  
3 and all Defendants remaining in this case, California Highway Patrol and its Commissioner Mike  
4 Brown (“CHP”), California Department of Transportation and its Director Will Kempton  
5 (“Caltrans”), Riverside County Transportation Commission (“RCTC”), and San Bernardino  
6 County Service Authority for Freeway Emergencies (“SB SAFE”) (collectively, “the Parties”),  
7 for final approval of the Settlement Agreements, attached as Exhibits A through D to the  
8 Preliminary Approval Motion filed March 22, 2007. Due and adequate notice having been given  
9 to the Settlement Classes as required in the Court’s April 25, 2007 Order, and the Court having  
10 considered all papers filed and proceedings had herein and otherwise being fully informed and  
11 good cause appearing, therefore, IT IS HEREBY ORDERED, ADJUDGED AND DECREED  
12 that:

13        1.        The Settlement Agreements are hereby incorporated by reference into this Final  
14 Order Approving Settlement Agreements, Certifying Settlement Classes, Approving Attorneys'  
15 Fees, and Dismissing Action (“Final Approval Order”), and are hereby adopted by this Court.  
16 Capitalized terms in this Order shall, unless otherwise defined, have the same meaning as in the  
17 Settlement Agreements.

18        2.        For settlement purposes only, the Settlement Classes, as defined in the respective  
19 Settlement Agreements, are found to meet the relevant requirements of, and are hereby certified  
20 under, Fed. R. Civ. P. 23(a) and (b)(1)(A) and (b)(2).

21        3.        The Court appoints Plaintiffs Victoria Munoz, Daniel Arellenas, Lyle Hinks,  
22 Seymour Bernstein, and the California Association of the Deaf as representatives of the  
23 Settlement Class and finds that they meet the requirements of Fed. R. Civ. P. 23.

24        4.        The Court appoints the California Center for Law and the Deaf, the Disability  
25 Rights Legal Center, and Morrison & Foerster, LLP as class counsel (“Class Counsel”) and finds  
26 that they meet the requirements of Fed. R. Civ. P. 23.

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1       5. Pursuant to Fed. R. Civ. P. 23(e), the Court hereby approves the Settlement  
2 Agreements in all respects and finds that the Settlement Agreements are, in all respects, fair, just,  
3 reasonable and adequate to the Settlement Classes.

4       6. The Court finds all parties have substantially complied with the notice  
5 requirements set forth in the Court's April 25, 2007 Order. The notice provided to members of  
6 the Settlement Classes satisfies the requirements of due process and Fed. R. Civ. P. 23.

7       7. After due consideration of Plaintiffs' Motion for Award of Attorneys' Fees and  
8 Costs to Class Counsel filed on March 22, 2007, its supporting Memorandum of Points and  
9 Authorities, its supporting declarations, arguments of counsel and all other matters presented to  
10 the Court, the Court approves the award of attorneys' fees and costs to Plaintiffs' counsel as  
11 provided in the respective Settlement Agreements.

12       8. Without affecting the finality of this Final Approval Order in any way, this Court  
13 hereby retains continuing jurisdiction over this action and the Parties to the extent provided in the  
14 respective Settlement Agreements.

15       9. Any amendments, modifications and/or expansions of the Settlement Agreements  
16 are subject to the conditions set forth in the Settlement Agreements.

17       10. This action is hereby dismissed with prejudice and the claims against CHP,  
18 Caltrans, RCTC, and SB SAFE are released as provided in the respective Settlement Agreements.

19       IT IS SO ORDERED.

20       Dated: July 27, 2007



The Honorable Jeffrey S. White  
United States District Judge

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